DOCUMENT RESUME

ED 460 905 SO 029 298

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| AUTHOR | Clark, Ray W.; Reeves, William; Settles, Lois; Sheehan, Valerie Henderson; Spellman, Steve |
| TITLE | Government and Politics in Japan. For Students in Grades Nine through Twelve. Instructional Materials about Japan (IMAJ). |
| INSTITUTION | Japan-America Society of Georgia, Atlanta. |
| SPONS AGENCY | Japan Foundation, Tokyo. Center for Global Partnership. |
| PUB DATE | 1996-00-00 |
| NOTE | 45p.; Printing courtesy of Georgia Power Company. Grant also provided by the Japanese Chamber of Commerce of Georgia. Helen Richardson edited the revised edition. |
| AVAILABLE FROM | The Japan America Society of Georgia, 225 Peachtree Street, Suite 710 South Tower, Atlanta, GA 30303. Tel: 404-524-7399. |
| PUB TYPE | Guides - Classroom - Teacher (052) |
| EDRS PRICE | EDRS Price MF01 Plus Postage. PC Not Available from EDRS. |
| DESCRIPTORS | *Asian Studies; Cultural Awareness; Foreign Countries; High Schools; Instructional Materials; *Japanese Culture; Multicultural Education; Non Western Civilization; Social Studies |
| IDENTIFIERS | *Japan |

ABSTRACT

This manual provides suggestions and materials for teaching about Japan. Designed as a supplement to typical textbook treatments, the lessons provide a range of readings, visuals, and activities to enrich and deepen student learning about Japan. Organized around topics dealing with history, geography, government, economics, and culture, the lessons provide teachers with flexibility of selecting and adapting lessons for specific classroom settings. Each lesson begins with an outline for teaching which includes instructional objectives, a list of needed materials, and a sequenced list of procedures for implementing the lessons. This packet of materials contains most of the materials needed for implementation. The manual is divided into three topics with a lesson plan for each topic. Topics include: (1) "The Structure of the Japanese Government"; (2) "The Role of the Japanese Emperor"; and (3) "Political Parties and Voting Patterns." (EH)

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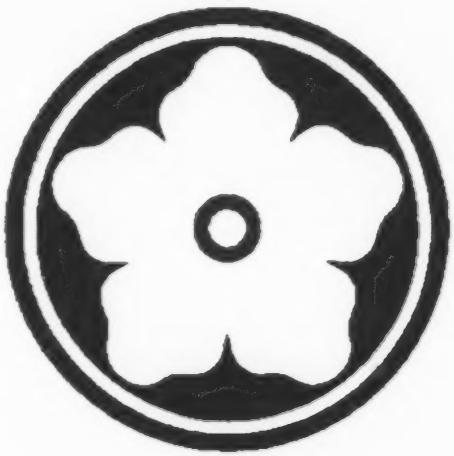
INSTRUCTIONAL MATERIALS ABOUT JAPAN

# GOVERNMENT AND POLITICS IN JAPAN

***For Students In Grades Nine through Twelve***

SO 029 298



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INSTRUCTIONAL MATERIALS ABOUT JAPAN

# GOVERNMENT AND POLITICS IN JAPAN

***For Students In Grades Nine through Twelve***


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# Acknowledgments

The Japan-America Society of Georgia (JASG) would like to express its deep appreciation to the Consulate General of Japan (Atlanta) for the invaluable assistance in developing the *Instructional Materials About Japan* lessons. The series was made possible by grants from the Japan Foundation Center for Global Partnership, the Japanese Chamber of Commerce of Georgia, and generous contributions from The JASG's corporate members.

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# Introduction

Japan has drawn increasing attention from the media and schools in the United States in recent years. The Japanese continue to fascinate and perplex Americans. An understanding of the Japanese and their culture among United States citizens, however, is still inadequate. Although various elements of Japanese society may appear familiar because of the Japanese penchant for creative adaptation, the familiar usually has a distinctive Japanese twist to it. Other elements of the Japanese culture are, of course, quite different from our own experience or that of other Westerners. Yet despite differences in historic traditions and cultures, we and the Japanese confront many of the same issues of industrial and postindustrial urban society. For these reasons the study of Japan can be both interesting and rewarding.

This document provides suggestions and materials for teaching about Japan. Designed as a supplement to typical textbook treatments, it provides a range of readings, visuals, and activities to enrich and deepen student learning about Japan. Organized around topics dealing with history, geography, government, economics, and culture, the lessons provide teachers with the flexibility of selecting and adapting lessons for specific classroom settings.

Each lesson begins with an outline for teaching which includes instructional objectives, a list of needed materials, and a sequenced list of procedures for implementing the lessons. This package of materials provides the teacher with most of the materials needed for implementation.

***These materials may be reproduced by teachers and school systems for classroom use.***

# Foreword

THE JAPAN AMERICA SOCIETY OF GEORGIA

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As we enter the 21st century, globalization becomes more prominent in every Georgian's life. One of the most important areas of this growing awareness involves the bilateral relationship between the United States and Japan.

The continuing emergence of Asian countries necessitates an even greater understanding of Japan's role as a leader in the Pacific Rim, in addition to its role in global politics. Add to this the need for cultural, educational and business awareness of Japan and you can understand the role The Japan-America Society of Georgia plays in providing curriculum resource materials to Georgia educators.

The Japan-America Society of Georgia strives to effectively respond to the forces shaping our global environment by improving on Japanese-related educational curricula. These lessons have been developed in conjunction with the Georgia Department of Education and correlate with objectives of the Quality Core Curriculum.

With over 350 Japanese establishments located throughout the state, virtually every community is touched by this global impact. Therefore, it is imperative Georgia students of all ages be given the opportunity to expand their knowledge of other countries so they are better able to deal with an increasingly complex and competitive world.

Daniel P. Amos
Chairman

## TOPIC 1

### THE STRUCTURE OF THE JAPANESE GOVERNMENT

# Lesson
# *How does the government of Japan compare to that of the United States?*

## LESSON OBJECTIVES

The student will 1) state the importance of the 1947 Japanese Constitution to contemporary Japanese government; 2) list the branches of modern Japanese government and describe their form and function; and 3) compare Japanese government to that of the United States in form and function.

## MATERIALS AND RESOURCES

- ❑ Handout 1.1 "Japan's Government"
- ❑ Handout 1.2 "Japan's Government: Organizational Chart"
- ❑ Worksheet 1.1 "Comparison of Japanese and U.S Governments: Executive Branch"
- ❑ Worksheet 1.2 "Comparison of Japanese and U.S. Governments: Legislative Branch"
- ❑ Worksheet 1.3 "Comparison of Japanese and U.S. Governments: Judicial Branch"
- ❑ Worksheet 1.4 "Comparison of Japanese and U.S. Governments: Political Systems"
- ❑ Handout 1.3 "The Constitution of Japan "
- ❑ Handout 1.4 "Women in Politics in the U.S. and Japan"
- ❑ Government textbooks, encyclopedias, or other reference materials on U.S. and/or Japanese governments

## STRATEGIES

After World War II, a democratic government was established in Japan, using the United States Constitution as a model but with a parliamentary form of government. There were those who wondered if it would succeed after American occupation forces departed. Actually, Japan had already established a base for a viable democratic government in the late nineteenth and early twentieth century. As in many other endeavors, the Japanese studied the constitutions, forms of government and political practices of the leading nations of the world and adopted and adapted various elements to their own setting. The drift toward militarism cut short the full development of democracy in Japan until reconstruction after the second world war.

Although elements of contemporary Japanese government--including principles of democracy -- can be traced back prior to Japan's 1947 Constitution, it was that supreme law created under the supervision of the U.S. occupation authorities that established Japan's current government. This lesson is intended to give students an overview of the Japanese government.

Begin this lesson by distributing copies of Handout 1.1, "Japan's Government," and Handout 1.2, "Japan's Government: Organizational Chart." Have students discuss the reading orally or write responses to the following questions.

- What major changes were adopted in the Japanese Constitution of 1947?
- On which form of government is the Japanese system most closely modeled?
- What is the function of the Japanese Diet?
- Who is at the head of the Japanese Cabinet?
- What is the function of the Japanese Cabinet? How does this differ in function from the U.S. Cabinet?
- How does Japanese political decision-making differ from that of the U.S.?

Next, distribute copies of Worksheet 1.1, "Comparison of Japanese and U.S. Governments: Executive Branch." Have the students complete the section on the U.S., then have them work on the section on Japan. Pairing or grouping the students will facilitate the activity. If they have difficulty with the U.S. section, have them refer to the references you have collected. For the section on Japan have students refer to Handout 1.1 and the other reference materials. Have students compare the two nations' executive branches. Ask: What similarities can you find? What are the major differences? Have students compare the Japanese Cabinet with that of the United States.

Distribute copies of Worksheet 1.2, "Comparison of Japanese and U.S. Governments: Legislative Branch" and have students fill in the chart. Repeat the same basic steps as outlined in the paragraph above. Ask:

- What major similarities do you find?
- What major differences do you find?

Continue the lesson by distributing copies of Worksheet 1.3, "Comparison of Japanese and U.S. Governments: Judicial Branch." Following the same steps as above, have students complete the chart. Then ask them to write one or two sentences comparing the Japanese and U.S. judicial branches of government.

If you have had students work through Worksheets 1.1 - 1.3, you may distribute copies of Worksheet 1.4. This worksheet adds some new information but primarily serves as a summary. Have students compare Worksheets 1.1, 1.2 and 1.3 with Worksheet 1.4. If you wish to shorten this lesson, you may use Worksheet 1.4 alone in place of the other worksheets. In this case, distribute copies to sutdents and have them fill in the chart using Handout 1.1, Handout 1.2, Handout 1.3 and other available references. Students may work individually or in groups. Since the Constitution is lengthy, you may wish to assign the sections on the legislature, the Cabinet, the judiciary, and local self-government to individual students or groups.

Conclude this lesson by distributing copies of Handout 1.4, "Women in Politics in the U.S. and Japan." Lead a class discussion focusing on the following questions.

- What has been the effect of Japan's Equal Employment opportunity Law of 1986 and the Child Care Leave Law of 1992?

- How does the number of women in elected office at the national level in Japan compare with the United States? At the local level?
- What are some reasons Japan lags behind the United States in electing women to office?
- Do you anticipate that more women will become involved in politics in Japan? Why?

# JAPAN'S GOVERNMENT

*NATIONAL GOVERNMENT*

The United States and its allies conquered and occupied Japan in 1945. The Americans believed that democracy would cure the problems of the world. If Japan became a democracy, it would never again threaten world peace. For this reason, the American occupation under General Douglas MacArthur wrote a new Constitution for Japan. This 1946 Constitution, which was enacted on May 3, 1947, is still in effect.

The new Japanese Constitution was modeled after the U.S. Constitution. It took supreme power from the emperor and gave it to the people. It declared the emperor not divine, but only the symbol of the unity of Japan under one government. It divided the government into three branches: executive, legislative, and judicial. Although it was created on a Western model, the government of Japan developed a uniquely Japanese way under the supervision of American occupation authorities.

The legislative branch of Japan's government is the Diet, or parliament. It is divided into two houses, the House of Representatives, with 509 members, and the House of Councilors, with 252 members. Members of the House of Councilors serve for six years; members of the House of Representatives serve for four years unless the House is dissolved by the Prime Minister and new national elections are called.

In the event of a no confidence vote by the House of Representatives, the Prime Minister and his Cabinet may resign at once, in which case the Diet designates a new Prime Minister, or the Prime Minister may dissolve the House of Representatives and call for a national election, in which case the Prime Minister and his Cabinet must resign as soon as a new House is elected and convenes.

When a new Diet is elected, it chooses the Prime Minister, who must be a member of the Diet. He appoints the Minister of State. The Prime Minister and the Minister of State form the Cabinet, which makes up the executive branch. This follows the British parliamentary model which General MacArthur preferred. The Japanese Cabinet maintains foreign relations, prepares the government's budget, and carries out the nation's laws through government agencies. The Cabinet is responsible to the Diet.

Legally, the Diet makes policies and laws. In practice, the Cabinet takes the lead in both. The Cabinet proposes most of the bills. In meetings of the Cabinet, the Prime Minister does not act like a king or a president, or even like a Canadian or British Prime Minister. The whole Cabinet discusses an issue until general agreement is reached. Any member who is still in disagreement is expected to resign or be dismissed. Once a decision has been reached, a bill is written and presented to the Diet. In this way the Cabinet reflects the Japanese tradition of group loyalty, group involvement, and rule by consensus.

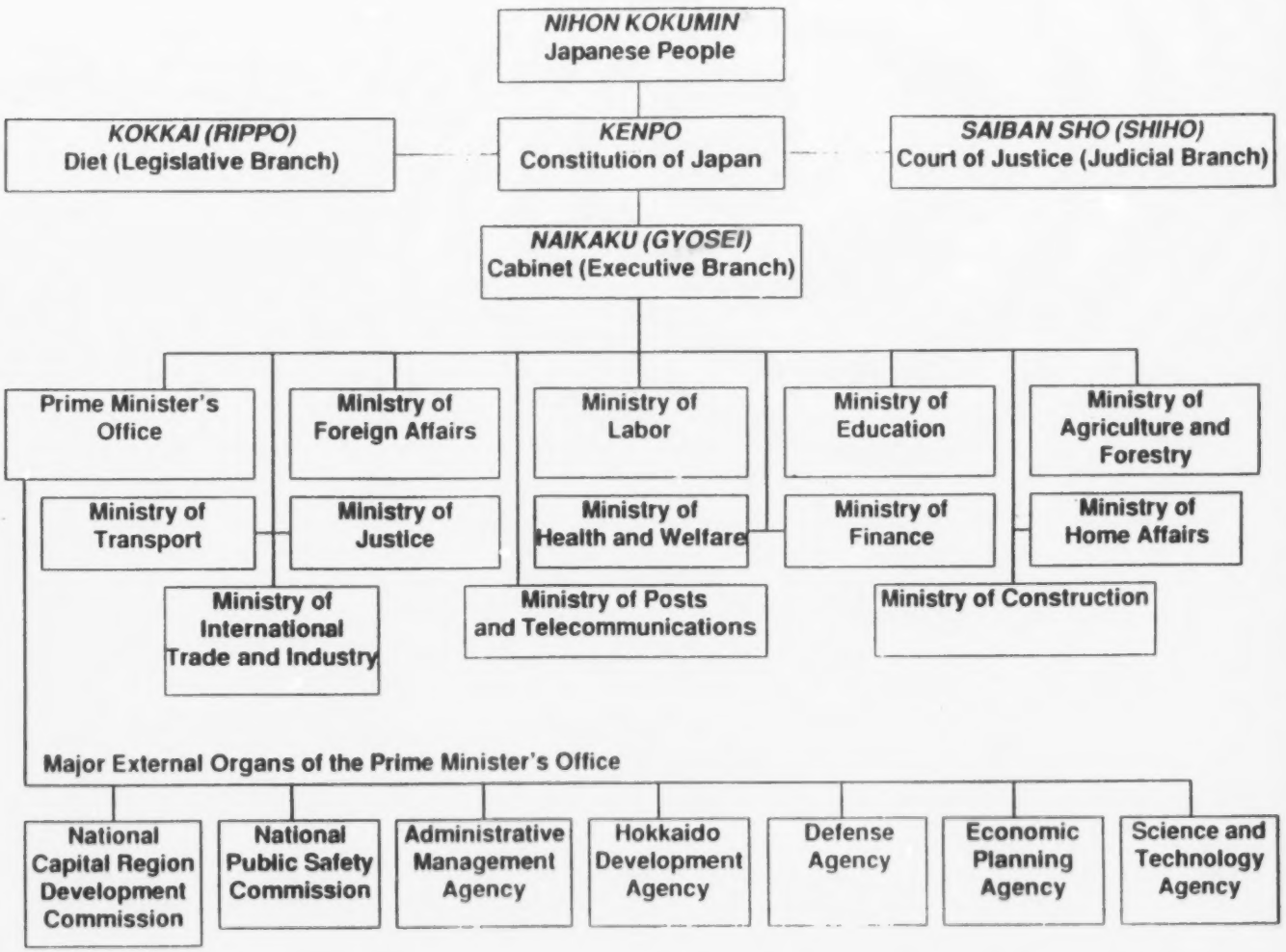
In most parliamentary governments, the cabinet falls when the government will not pass its bills. In Japan, group loyalty is so strong that all members of the party in power vote in favor of bills presented by the Cabinet. If they did not, it would be a dishonor to the party and to Japan. As long as one party holds a majority in the Diet, the Cabinet will not fail. For the last thirty years the Liberal Democratic Party has held a majority in the Diet and has therefore controlled the Cabinet. In this way the party has maintained harmony between the executive and legislative branches.

The judicial branch of the Japanese government is headed by the Supreme Court. Beneath it are eight high courts and many district and family courts. This court system has never worked in the same way as similar courts in North America. The Japanese people prefer to have some prominent person in the community serve as go-between when there is a dispute. In their view, going to court means that human relationships have broken down, and there has been a violation of traditional values. However, Japanese society is changing. More people are beginning to use the courts and to hire lawyers to settle disputes. But the old values are not dead, and many people still prefer to use the local family courts rather than the district courts.

LOCAL GOVERNMENT

Japan is divided into 47 local administrative districts--the prefectures. Within these prefectures are cities, towns, and villages, considered local entities. Local government was greatly strengthened by the 1947 Constitution. Article 92 guarantees autonomy to local entities and Article 93 requires the popular election of executive officers of local entities, members of their assemblies, and other local officials. Local governments have become increasingly autonomous over the years since the Constitution was enacted.

# JAPAN'S GOVERNMENT: ORGANIZATIONAL CHART



# COMPARISON OF JAPANESE AND U.S. GOVERNMENTS
# EXECUTIVE BRANCH

| | JAPAN | UNITED STATES |
|---|---|---|
| ***CHIEF EXECUTIVE OFFICER*** | | |
| ***SELECTION*** | | |
| ***ELIGIBILITY*** | | |
| ***TERM*** | | |
| ***CABINET*** | | |
| ***CHECKS BY LEGISLATIVE BRANCH*** | | |

# COMPARISON OF JAPANESE AND U.S. GOVERNMENTS
## EXECUTIVE BRANCH

| | JAPAN | UNITED STATES |
|---|---|---|
| ***CHIEF EXECUTIVE OFFICER*** | Prime Minister | President |
| ***SELECTION*** | Election by Diet as leader of majority party. | Elected by members of the Electoral College, who are elected by voters in each state. |
| ***ELIGIBILITY*** | Diet membership, 25 or 30 or older, Japanese nationality. | 35 years, natural born citizen. 14 years U.S. residence. |
| ***TERM*** | No legal time limit; current party rules set 4-year limit for party leadership. | 4-year term; two terms maximum. |
| ***CABINET*** | Prime Minister designates 20 ministers of state; the majority must be Diet members. | President appoints secretaries with advice and consent of the Senate. Cabinet members cannot hold Congressional seats at the same time. |
| ***CHECKS BY LEGISLATIVE BRANCH*** | House of Representatives can submit a motion of no-confidence in the Cabinet. If passed, the Cabinet must resign or Prime Minister dissolves the House and new elections are held. | Congress can override Presidential veto. House of Representatives can propose impeachment of the President. If passed, the Senate conducts the trial. |

# COMPARISON OF JAPANESE AND U.S. GOVERNMENTS
## *LEGISLATIVE BRANCH*

| | JAPAN | UNITED STATES |
|---|---|---|
| ***LEGISLATIVE ORGAN*** | | |
| ***MEMBERSHIP*** | | |
| ***TERMS: QUALIFICATIONS ELIGIBILITY*** | | |
| ***POWER BALANCE*** | | |
| ***POLITICAL PARTIES: LOWER HOUSE*** | | |
| ***POLITICAL PARTIES: UPPER HOUSE*** | | |

# COMPARISON OF JAPANESE AND U.S. GOVERNMENTS
## *LEGISLATIVE BRANCH*

| | JAPAN | UNITED STATES |
|---|---|---|
| ***LEGISLATIVE ORGAN*** | **Diet**<br>House of Representatives<br>and<br>House of Councillors | **Congress**<br>House of Representatives<br>and<br>Senate |
| ***MEMBERSHIP*** | 509 Representatives<br>252 Councillors | 435 Representatives<br>100 Senators |
| ***TERMS: QUALIFICATIONS ELIGIBILITY*** | **Representatives**<br>25 or older, Japanese national<br>4-year term (or less)<br>**Councillors**<br>30 or older, Japanese national<br>6-year term | **Representatives**<br>25 or older, 7 years citizenship<br>2-year term<br>**Senator**<br>30 or older, 5 years residence in state of representation, 6-year term |
| ***POWER BALANCE*** | Representatives have precedence in selecting Prime Minister, enactment of laws, budget, and approval of treaties. | House has precedence in enactment of taxes. Senate has precedence in confirming appointments and approving treaties. |

# COMPARISON OF JAPANESE AND U.S. GOVERNMENTS
## *JUDICIAL BRANCH*

| | JAPAN | UNITED STATES |
|---|---|---|
| *HIGHEST COURT* | | |
| *APPOINTMENT* | | |
| *SECOND HIGHEST COURTS* | | |
| *TRIAL COURTS* | | |
| *SPECIALIZED COURTS* | | |
| *DECISION MAKERS* | | |
| *CAPITAL PUNISHMENT* | | |
| *LOCAL COURTS* | | |

# COMPARISON OF JAPANESE AND U.S. GOVERNMENTS
## *JUDICIAL BRANCH*

| | JAPAN | UNITED STATES |
|---|---|---|
| ***HIGHEST COURT*** | Supreme Court<br>1 Chief Justice<br>14 Justices | Supreme Court<br>1 Chief Justice<br>8 Associate Justices |
| ***APPOINTMENT*** | Chief Justice designated by the Cabinet and appointed by the Emperor. Other justices appointed by the Cabinet. | Justices appointed by the President with advice and consent of the Senate. |
| ***SECOND HIGHEST COURTS*** | Sapporo, Sendai, Tokyo, Nagoya, Osaka, Fukuoka, Takamatsu and Hiroshima High Courts | 11 Circuit Courts |
| ***TRIAL COURTS*** | 50 District Courts - one for each prefecture (Hokkaido: four). | 100 District Courts - each state has at least one. |
| ***SPECIALIZED COURTS*** | 47 Family Courts.<br>Summary Courts for amounts less than ¥300,000. | Courts of Claims, Customs, International Appeals, Tax, Trade, etc. |
| ***DECISION MAKERS*** | Judges | Judges and Jury |
| ***CAPITAL PUNISHMENT*** | Yes | Yes |
| ***LOCAL COURTS*** | None | Municipal, state and county courts |

# COMPARISON OF JAPANESE AND U.S. GOVERNMENTS
## *POLITICAL SYSTEMS*

| | JAPAN | UNITED STATES |
|---|---|---|
| ***TYPE OF SYSTEM*** | | |
| ***FORM*** | | |
| ***ELECTIONS*** | | |
| ***ORGANIZATION OF EXECUTIVE BRANCH*** | | |
| ***ORGANIZATION OF LEGISLATIVE BRANCH*** | | |
| ***ORGANIZATION OF JUDICIAL BRANCH*** | | |
| ***POLITICAL PARTIES*** | | |

# COMPARISON OF JAPANESE AND U.S. GOVERNMENTS
## *POLITICAL SYSTEMS*

| | JAPAN | UNITED STATES |
|---|---|---|
| ***TYPE OF SYSTEM*** | Constitutionally based Representative Democracy/ Unitary system: Symbolic emperor. | Constitutionally based Representative Democracy/ Federal System. |
| ***FORM*** | Parliamentary at national level (Prime Minister); Comparatively weak prefectural governments. | Presidential/Congressional at national level; Comparatively strong state governments. |
| ***ELECTIONS*** | Every 4 years or sooner for lower house; every 6 years for upper house (1/2 every 3 years). Lower house can be dissolved and election called. | President every 4 years; Senate every 6 years (1/3 every 2 years); House every 2 years |
| ***ORGANIZATION OF EXECUTIVE BRANCH*** | President; Cabinet (appointed); Civil Service (powerful career bureaucracy) | President; Cabinet (appointed); Civil Service and appointed bureaucracy. |
| ***ORGANIZATION OF LEGISLATIVE BRANCH*** | **Diet** House of Councillors *(upper house)*; House of Representatives *(lower house)*. Weak committee system. | **Congress** Senate *(upper house)*; House of Representatives *(lower house)*; Strong committee system. |
| ***ORGANIZATION OF JUDICIAL BRANCH*** | Supreme Court and lower national courts. Litigation infrequent. | Supreme Court and lower federal courts. Litigation frequent. |
| ***POLITICAL PARTIES*** | Multi-party system; Liberal Democrats dominant since 1955. | Two major parties; minor parties. |

# THE CONSTITUTION OF JAPAN

We, the Japanese people, acting through our duly elected representatives in the National Diet, determined that we shall secure for ourselves and our posterity the fruits of peaceful cooperation with all nations and the blessings of liberty throughout this land, and resolved that never again shall we be visited with the horrors of war through the action of government, do proclaim that sovereign power resides with the people and do firmly establish this Constitution. Government is a sacred trust of the people, the authority for which is derived from the people, the powers of which are exercised by the representatives of the people, and the benefits of which are enjoyed by the people. This is a universal principle of mankind upon which this Constitution is founded. We reject and revoke all constitutions, laws, ordinances and rescripts in conflict herewith.

We, the Japanese people, desire peace for all time and are deeply conscious of the high ideals controlling human relationship, and we have determined to preserve our security and existence, trusting in the justice and faith of the peaceloving peoples of the world. We desire to occupy an honoured place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth. We recognize that all peoples of the world have the right to live in peace, free from fear and want.

We believe that no nation is responsible to itself alone, but that laws of political morality are universal and that obedience to such laws is incumbent upon all nations who would sustain their own sovereignty and justify their sovereign relationship with other nations.

We, the Japanese people, pledge our national honour to accomplish these high ideals and purposes with all our resources.

## CHAPTER I. THE EMPEROR

**Article 1**. The Emperor shall be the symbol of the state and of the unity of the people, deriving his position from the will of the people with whom resides sovereign power.

**Article 2**. The Imperial Throne shall be dynastic and succeeded to in accordance with the Imperial House Law passed by the Diet.

**Article 3.** The advice and approval of the Cabinet shall be required for all acts of the Emperor in matters of state, and the Cabinet shall be responsible therefor.

**Article 4.** The Emperor shall perform only such acts in matters of state as are provided for in this Constitution and he shall not have powers related to government.

The Emperor may delegate the performance of his acts in matters of state as may be provided by law.

**Article 5.** When, in accordance with the Imperial House Law, a Regency is established, the Regent shall perform his acts in matters of state in the Emperor's name. In this case, paragraph one of the preceding article will be applicable.

**Article 6.** The Emperor shall appoint the Prime Minister as designated by the Diet.

The Emperor shall appoint the Chief Judge of the Supreme Court as designated by the Cabinet.

**Article 7.** The Emperor, with the advice and approval of the Cabinet, shall perform the following acts in matters of state on behalf of the people:

Promulgation of amendments of the constitution, laws, cabinet orders and treaties.

Convocation of the Diet.

Dissolution of the House of Representatives.

Proclamation of general election of members of the Diet.

Attestation of the appointment and dismissal of Ministers of State and other officials as provided for by law, and of full powers and credentials of Ambassadors and Ministers.

Attestation of general and special amnesty, commutation of punishment, reprieve, and restoration of rights.

Awarding of honours.

Attestation of instruments of ratification and other diplomatic documents as provided by law.

Receiving foreign ambassadors and ministers.

Performance of ceremonial functions.

**Article 8.** No property can be given to, or received by, the Imperial House, nor can any gifts be made therefrom, without the authorization of the Diet.

## CHAPTER II. RENUNCIATION OF WAR

**Article 9.** Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.

In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

## CHAPTER III. RIGHTS AND DUTIES OF THE PEOPLE

**Article 10.** The conditions necessary for being a Japanese national shall be determined by law.

**Article 11.** The people shall not be prevented from enjoying any of the fundamental human rights.

These fundamental human rights guaranteed to the people by this Constitution shall be conferred upon the people of this and future generations as eternal and inviolate rights.

**Article 12.** The freedom and rights guaranteed to the people by this Constitution shall be maintained by the constant endeavour of the people, who shall refrain from any abuse of these freedoms and rights and shall always be responsible for utilizing them for the public welfare.

**Article 13.** All of the people shall be respected as individuals. Their right to life, liberty, and the pursuit of happiness shall, to the extent that it does not interfere with the public welfare, be the supreme consideration in legislation and in other governmental affairs.

**Article 14.** All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin. Peers and peerage shall not be recognized.

No privilege shall accompany any award of honour, decoration or any distinction, nor shall any such award be valid beyond the lifetime of the individual who now holds or hereafter may receive it.

**Article 15.** The people have the inalienable right to choose their public officials and to dismiss them.

All public officials are servants of the whole community and not of any group thereof.

Universal adult suffrage is guaranteed with regard to the election of public officials.

In all elections, secrecy of the ballot shall not be violated. A voter shall not be answerable, publicly or privately, for the choice he has made.

**Article 16**. Every person shall have the right of peaceful petition for the redress of damage, for the removal of public officials, for the enactment, repeal of amendment of laws, ordinances or regulations and for other matters, nor shall any person be in any way discriminated against for sponsoring such a petition.

**Article 17**. Every person may sue for redress as provided by law from the State or public entity, in case he has suffered damage through illegal act of any public official.

**Article 18**. No person shall be held in bondage of any kind. Involuntary servitude, except as punishment for crime, is prohibited.

**Article 19**. Freedom of thought and conscience shall not be violated.

**Article 20**. Freedom of religion is guaranteed to all. No religious organization shall receive any privileges from the State, nor exercise any political authority.

No person shall be compelled to take part in any religious act, celebration, rite or practice.

The State and its organs shall refrain from religious education or any other religious activity.

**Article 21.** Freedom of assembly and association as well as speech, press and all other forms of expression are guaranteed.

No censorship shall be maintained, nor shall the secrecy of any means of communication be violated.

**Article 22**. Every person shall have freedom to choose and change his residence and to choose his occupation to the extent that it does not interfere with the public welfare.

Freedom of all persons to move to a foreign country and to divest themselves of their nationality shall be inviolate.

**Article 23**. Academic freedom is guaranteed.

**Article 24**. Marriage shall be based only on the mutual consent of both sexes and it shall be maintained through mutual cooperation with the equal rights of husband and wife as a basis.

With regard to choice of spouse, property rights, inheritance, choice of domicile, divorce and other matters pertaining to marriage and the family, laws shall be enacted from the standpoint of individual dignity and the essential equality of the sexes.

**Article 25**. All people shall have the right to maintain the minimum standards of wholesome and cultured living.

In all spheres of life, the State shall use its endeavours for the promotion and extension of social welfare and security, and of public health.

**Article 26**. All people shall have the right to receive an equal education correspondent to their ability, as provided by law.

All people shall be obligated to have all boys and girls under their protection receive ordinary education as provided for by law. Such compulsory education shall be free.

**Article 27**. All people shall have the right and the obligation to work.

Standards for wages, hours, rest and other working conditions shall be fixed by law.

Children shall not be exploited.

**Article 28**. The right of workers to organize and to bargain and act collectively is guaranteed.

**Article 29**. The right to own or to hold property is inviolable.

Property rights shall be defined by law, in conformity with the public welfare.

Private property may be taken for public use upon just compensation therefor.

**Article 30**. The people shall be liable to taxation as provided by law.

**Article 31**. No person shall be deprived of life or liberty, nor shall any other criminal penalty be imposed, except according to procedure established by law.

**Article 32**. No person shall be denied the right of access to the courts.

**Article 33**. No person shall be apprehended except upon warrant issued by a competent judicial officer which specifies the offence with which the person is charged, unless he is apprehended, the offence being committed.

**Article 34**. No person shall be arrested or detained without being at once informed of the charges against him or without the immediate privilege of counsel; nor shall he be detained without adequate cause; and upon demand of any person such cause must be immediately shown in open court in his presence and the presence of his counsel.

**Article 35**. The right of all persons to be secure in their homes, papers and effects against entries, searches and seizures shall not be impaired except upon warrant issued for adequate cause and particularly describing the place to be searched and things to be seized, or except as provided by Article 33. Each search or seizure shall be made upon separate warrant issued by a competent judicial officer.

**Article 36**. The infliction of torture by any public officer and cruel punishments are absolutely forbidden.

**Article 37**. In all criminal cases the accused shall enjoy the right to a speedy and public trial by an impartial tribunal.

He shall be permitted full opportunity to examine all witnesses, and he shall have the right of compulsory process for obtaining witnesses on his behalf at public expense.

At all times the accused shall have the assistance of competent counsel who shall, if the accused is unable to secure the same by his own efforts, be assigned to his use by the state.

**Article 38**. No person shall be compelled to testify against himself.

Confession made under compulsion, torture or threat, or after prolonged arrest or detention shall not be admitted in evidence.

No person shall be convicted or punished in cases where the only proof against him is his own confession.

**Article 39**. No person shall be held criminally liable for an act which was lawful at the time it was committed, or of which he has been acquitted, nor shall he be placed in double jeopardy.

**Article 40**. Any person, in case he is acquitted after he has been arrested or detained, may sue the State for redress as provided by law.

## CHAPTER IV. THE DIET

**Article 41**. The Diet shall be the highest organ of state power, and shall be the sole lawmaking organ of the State.

**Article 42**. The Diet shall consist of two Houses, namely the House of Representatives and the House of Councillors.

**Article 43**. Both Houses shall consist of elected members, representative of all the people. The number of the members of each House shall be fixed by law.

**Article 44**. The qualifications of members of both Houses and their electors shall be fixed by law.

However, there shall be no discrimination because of race, creed, sex, social status, family origin, education, property or income.

**Article 45.** The term of office of members of the House of Representatives shall be four years. However, the term shall be terminated before the full term is up in case the House of Representatives is dissolved.

**Article 46**. The term of office of members of the House of Councillors shall be six years, and election for half the members shall take place every three years.

**Article 47**. Electoral districts, method of voting and other matters pertaining to the method of election of members of both Houses shall be fixed by law.

**Article 48**. No person shall be permitted to be a member of both Houses simultaneously.

**Article 49**. Members of both Houses shall receive appropriate annual payment from the national treasury in accordance with law.

**Article 50.** Except in cases provided by law, members of both Houses shall be exempt from apprehension while the Diet is in session, and any members apprehended before the opening of the session shall be freed during the term of the session upon demand of the House.

**Article 51**. Members of both Houses shall not be held liable outside the House for speeches, debates or votes cast inside the House.

**Article 52**. An ordinary session of the Diet shall be convoked once per year.

**Article 53**. The Cabinet may determine to convoke extraordinary sessions of the Diet. When a quarter or more of the total members of either House makes the demand, the Cabinet must determine on such convocation.

**Article 54.** When the House of Representatives is dissolved, there must be a general election of members of the House of Representatives within forty (40) days from the date of dissolution, and the Diet must be convoked within thirty (30) days from the date of the election.

When the House of Representatives is dissolved, the House of Councillors is closed at the same time. However, the Cabinet may in time of national emergency convoke the House of Councillors in emergency session.

Measures taken at such session as mentioned in the proviso of the preceding paragraph shall be provisional and shall become null and void unless agreed to by the House of Representatives within a period of ten (10) days after the opening of the next session of the Diet.

**Article 55**. Each House shall judge disputes related to qualifications of its members. However, in order to deny a seat to any member, it is necessary to pass a resolution by a majority of two-thirds or more of the members present.

**Article 56**. Business cannot be transacted in either House unless one-third or more of total membership is present.

All matters shall be decided, in each House, by a majority of those present, except as elsewhere provided in the Constitution, and in case of a tie, the presiding officer shall decide the issue.

**Article 57**. Deliberation in each House shall be public. However, a secret meeting may be held where a majority of two-thirds or more of those members present passes a resolution therefor.

Each House shall keep a record of proceedings. This record shall be published and given general circulation, excepting such parts of proceedings of secret session as may be deemed to require secrecy.

Upon demand of one-fifth or more of the members present, votes of the members on any matter shall be recorded in the minutes.

**Article 58.** Each House shall select its own president and other officials.

Each House shall establish its rules pertaining to meetings, proceedings and internal discipline, and may punish members for disorderly conduct. However, in order to expel a member, a majority of two-thirds or more of those members present must pass a resolution thereon.

**Article 59.** A bill becomes a law on passage by both Houses, except as otherwise provided by the Constitution.

A bill which is passed by the House of Representatives, and upon which the House of Councillors makes a decision different from that of the House of Representatives, becomes a law when passed a second time by the House of Representatives by a majority of two-thirds or more of the members present.

The provision of the preceding paragraph does not preclude the House of Representatives from calling for the meeting of a joint committee of both Houses, provided for by law.

Failure by the House of Councillors to take final action within sixty (60) days after receipt of a bill passed by the House of Representatives, time in recess excepted, may be determined by the House of Representatives to constitute a rejection of the said bill by the House of Councillors.

**Article 60**. The budget must first be submitted to the House of Representatives.

Upon consideration of the budget, when the House of Councillors makes a decision different from that of the House of Representatives, and when no agreement can be reached even through a joint committee of both Houses, provided for by law, or in the case of failure by the House of Councillors to take final action within thirty (30) days, the period of recess excluded, after the receipt of the budget passed by the House of Representatives, the decision of the House of Representatives shall be the decision of the Diet.

**Article 61.** The second paragraph of the preceding article applies also to the Diet approval required for the conclusion of treaties.

**Article 62.** Each House may conduct investigations in relation to government, and may demand the presence and testimony of witnesses, and the production of records.

**Article 63.** The Prime Minister and other Ministers of State may, at any time, appear in either House for the purpose of speaking on bills, regardless of whether they are members of the House or not. They must appear when their presence is required in order to give answers or explanations.

**Article 64.** The Diet shall set up an impeachment court from among the members of both Houses for the purpose of trying those judges against whom removal proceedings have been instituted. Matters related to impeachment shall be provided by law.

## CHAPTER V. THE CABINET

**Article 65.** Executive power shall be vested in the Cabinet.

**Article 66.** The Cabinet shall consist of the Prime Minister, who shall be its head, and other Ministers of State, as provided by law.

The Prime Minister and other Ministers of State must be civilians.

The Cabinet, in the exercise of executive power, shall be collectively responsible to the Diet.

**Article 67.** The Prime Minister shall be designated from among the members of the Diet by a resolution of the Diet. This designation shall precede all other business.

If the House of Representatives and the House of Councillors disagree and if no agreement can be reached even through a joint committee of both Houses, provided for by law, or the House of Councillors fails to make designation within ten (10) days, exclusive of the period of recess, after the House of Representatives has made designation, the decision of the House of Representatives shall be the decision of the Diet.

**Article 68.** The Prime Minister shall appoint the Ministers of State. However, a majority of their number must be chosen from among the members of the Diet.

The Prime Ministers may remove the Ministers of State as he chooses.

**Article 69.** If the House of Representatives passes a non-confidence resolution, or rejects a confidence resolution, the Cabinet shall resign en masse, unless the House of Representatives is dissolved within ten (10) days.

**Article 70.** When there is a vacancy in the post of Prime Minister, or upon the first convocation of the Diet after a general election of members of the House of Representatives, the Cabinet shall resign en masse.

**Article 71.** In the cases mentioned in the two preceding articles, the Cabinet shall continue its functions until the time when a new Prime Minister is appointed.

**Article 72.** The Prime Minister, representing the Cabinet, submits bills, reports on general national affairs and foreign relations to the Diet and exercises control and supervision over various administrative branches.

**Article 73.** The Cabinet, in addition to other general administrative functions, shall perform the following functions:

Administer the law faithfully, conduct affairs of state.

Manage foreign affairs.

Conclude treaties. However, it shall obtain prior or, depending on circumstances, subsequent approval of the Diet.

Administer the civil service, in accordance with standards established by law.

Prepare the budget, and present it to the Diet

Enact cabinet orders in order to execute the provisions of this Constitution and of the law.

However, it cannot include penal provisions in such cabinet orders unless authorized by such law.

Decide on general amnesty, special amnesty, commutation of punishment, reprieve, and restoration of rights.

**Article 74**. All laws and cabinet orders shall be signed by the competent Minister of State and countersigned by the Prime Minister.

**Article 75.** The Ministers of State, during their tenure of office, shall not be subject to legal action without the consent of the Prime Minister. However, the right to take this action is not impaired hereby.

## CHAPTER VI. JUDICIARY

**Article 76.** The whole judicial power is vested in a Supreme Court and in such inferior courts as are established by law.

No extraordinary tribunal shall be established, nor shall any organ or agency of the Executive be given final judicial power.

All judges shall be independent in the exercise of their conscience and shall be bound only by this Constitution and the laws.

**Article 77**. The Supreme Court is vested with the rulemaking power under which it determines the rules of procedure and of practice, and of matters relating to attorneys, the internal discipline of the courts and the administration of judicial affairs.

Public procurators shall be subject to the rulemaking power of the Supreme Court.

The Supreme Court may delegate the power to make rules for inferior courts to such courts.

**Article 78.** Judges shall not be removed except by public impeachment unless judicially declared mentally or physically incompetent to perform official duties. No disciplinary action against judges shall be administered by any executive organ or agency.

**Article 79**. The Supreme Court shall consist of a Chief Judge and such number of judges as may be determined by law; all such judges excepting the Chief Judge shall be appointed by the Cabinet.

The appointment of the judges of the Supreme Court shall be reviewed by the people at the first general election of members of the House of Representatives following their appointment, and shall be reviewed again at the first general election of members of the House of Representatives after a lapse of ten (10) years, and in the same manner thereafter.

In cases mentioned in the foregoing paragraph, when the majority of the voters favors the dismissal of a judge, he shall be dismissed.

Matters pertaining to review shall be prescribed by law.

The judges of the Supreme Court shall be retired upon the attainment of the age as fixed by law.

All such judges shall receive, at regular stated intervals, adequate compensation which shall not be decreased during their terms of office.

**Article 80.** The judges of the inferior courts shall be appointed by the Cabinet from a list of persons nominated by the Supreme Court. All such judges shall hold office for a term of ten (10) years with privilege of reappointment, provided that they shall be retired upon the attainment of the age as fixed by law.

The judges of the inferior courts shall receive, at regular stated intervals, adequate compensation which shall not be decreased during their terms of office.

**Article 81.** The Supreme Court is the court of last resort with power to determine the constitutionality of any law, order, regulation or official act.

**Article 82.** Trials shall be conducted and judgment declared publicly. Where a court unanimously determines publicity to be dangerous to public order or morals, a trial may be conducted privately, but trials of political offences, offences involving the press or cases wherein the right of people as guaranteed in Chapter III of this Constitution are in question shall always be conducted publicly.

## CHAPTER VII. FINANCE

**Article 83.** The power to administer national finances shall be exercised as the Diet shall determine.

**Article 84.** No new taxes shall be imposed or existing ones modified except by law or under such conditions as law may prescribe.

**Article 85.** No money shall be expended, nor shall the State obligate itself, except as authorized by the Diet.

**Article 86.** The Cabinet shall prepare and submit to the Diet for its consideration and decision a budget for each fiscal year.

**Article 87.** In order to provide for unforeseen deficiencies in the budget, a reserve fund may be authorized by the Diet to be expended upon the responsibility of the Cabinet.

The Cabinet must get subsequent approval of the Diet for all payments from the reserve fund.

**Article 88**. All property of the Imperial Household shall belong to the State. All expenses of the Imperial Household shall be appropriated by the Diet in the budget.

**Article 89.** No public money or other property shall be expended or appropriated for the use, benefit or maintenance of any religious institution or association, or for any charitable, educational or benevolent enterprises not under the control of public authority.

**Article 90**. Final accounts of the expenditures and revenues of the State shall be audited annually by a Board of Audit and submitted by the Cabinet to the Diet, together with the statement of audit during the fiscal year immediately following the period covered.

The organization and competency of the Board of Audit shall be determined by law.

**Article 91**. At regular intervals and at least annually the Cabinet shall report to the Diet and the people on the State of national finances.

## CHAPTER VIII. LOCAL SELF-GOVERNMENT

**Article 92**. Regulations concerning organization and operations of local public entities shall be fixed by law in accordance with the principle of local autonomy.

**Article 93.** The local public entities shall establish assemblies as their deliberative organs, in accordance with law.

The chief executive officers of all local public entities, the members of their assemblies and such other local officials as may be determined by law shall be elected by direct popular vote within their several communities.

**Article 94**. Local public entities shall have the right to manage their property, affairs and administration and to enact their own regulations within law.

**Article 95.** A special law applicable only to one local public entity cannot be enacted by the Diet without the consent of the majority of the voters of the local public entity concerned, obtained in accordance with law.

## CHAPTER IX. AMENDMENTS

**Article 96**. Amendments to this Constitution shall be initiated by the Diet, through a concurring vote of two-thirds or more of all the members of each House and shall thereupon be submitted to the people for ratification, which shall require the affirmative vote of a majority of all votes cast thereon, at a special referendum or at such election as the Diet shall specify.

Amendments when so ratified shall immediately be promulgated by the Emperor in the name of the people, as an integral part of the Constitution.

## CHAPTER X. SUPREME LAW

**Article 97.** The fundamental human rights by this Constitution guaranteed to the people of Japan are fruits of the age-old struggle of man to be free; they have survived the many exacting tests for durability and are conferred upon this and future generations in trust, to be held for all time inviolate.

**Article 98**. This Constitution shall be the supreme law of the nation and no law, ordinance, imperial rescript or other act of government, or part thereof, contrary to the provisions hereof, shall have legal force or validity.

The treaties concluded by Japan and established laws of nations shall be faithfully observed.

**Article 99.** The Emperor or the Regent as well as Ministers of State, members of the Diet, judges, and all other public officials have the obligation to respect and uphold this Constitution.

## CHAPTER XI. SUPPLEMENTARY PROVISIONS

**Article 100.** This Constitution shall be enforced as from the day when the period of six months will have elapsed counting from the day of its promulgation.

The enactment of laws necessary for the enforcement of this Constitution, the election of members of the House of Councillors, and the procedure for the convocation of the Diet and other preparatory procedures necessary for the enforcement of this Constitution, may be executed before the day prescribed in the preceding paragraph.

**Article 101.** If the House of Councillors is not constituted before the effective date of this Constitution, the House of Representatives shall function as the Diet until such time as the House of Councillors shall be constituted.

**Article 102**. The term of office for half the members of the House of Councillors serving in the first term under this Constitution shall be three years. Members falling under this category shall be determined in accordance with law.

**Article 103.** The Ministers of State, members of the House of Representatives, and judges in office on the effective date of this Constitution, and all other public officials who occupy positions corresponding to such positions as are recognized by this Constitution, shall not forfeit their positions automatically on account of the enforcement of this Constitution unless otherwise specified by law. When, however, successors are elected or appointed under the provisions of this Constitution, they shall forfeit their positions as a matter of course.

Date of Promulgation: November 3, 1946
Date of Enforcement: May 3, 1947

*Source: Facts about Japan, 1977.*

# WOMEN IN POLITICS IN THE US AND JAPAN

The status of minorities, and women in particular, is firmly in the world spotlight. Affirmative action is under assault in the U.S.; the Equal Opportunity Law may be abolished in Ontario; similar challenges exist around the globe. The United Nations Fourth World Conference on Women, attended by 6,000 government representatives from more than 180 countries, was held in Beijing, China this past September and drew worldwide attention.

Although an economic powerhouse, Japan needs much improvement in the area of gender equality, especially compared with the U.S., Canada and the European Union. Acutely aware of lagging behind, Japan passed the Equal Employment Opportunity Law in 1986, and the Child Care Leave Law in 1992. The legislation was overdue, but has not really helped the position of women in Japan due to a deep-rooted cultural bias that still typecasts men as breadwinners and women as responsible for home and child care.

One forum within which the status of Japanese women is improving notably is national politics, where the number of women elected to office is on the rise. At last count, 33 of the 252 seats in Japan's upper House of Councillors or 13% were held by women. In the more powerful House of Representatives, however, women hold only 12 of 511 seats, or 2.3%. The entry of women into the national political arena, a recent phenomenon on only the last 5-6 years, is known as the "Madona boom."

At the local level, Japan has never had a female governor, and the only woman city mayor is currently in office. At the end of 1994 only three women were serving as town mayors. Women account for just 2.5% of Japan prefectural assemblies and 3.4% of municipal assemblies.

U.S. women actually lag behind their Japanese counterparts in the upper house, the Senate, holding 8 of 100 seats (8%), but have 47 of 435 seats in the House of Representatives (almost 11%). There is one incumbent female governor, but historically there have been 13 since Nellie Tayloe Ross was inaugurated in Wyoming in 1925. U.S. women have made much greater inroads in local politics, accounting for more than 14% of mayors in 1993 and 20.7% of state legislature seats in 1995.

A significant reason why Japan still lags behind the U.S. in electing women to government positions is the social framework of the country. In addition to the traditional gender roles already mentioned, it must be remembered that women's suffrage did not come to Japan until 1945, within the living memory of many older adults and 25 years after the U.S.; further, it was imposed from above rather than because of a grass roots movement.

Japan is a quick study, and understands the expanding role of women in every facet of society. The changes taking place in the world today necessitate support and promotion of women's progress in government, a logical place to elevate the status of Japanese women overall.

From JLGC Newsletter, Issue 16, Fall 1995, p. 6

## TOPIC 2

### THE ROLE OF THE JAPANESE EMPEROR

# Lesson

# *How does the traditional role of the Japanese Emperor compare with today's role?*

## LESSON OBJECTIVES

The student will 1) describe the traditional role of the Japanese emperor; 2) specify the contemporary role of the Japanese emperor as stated in the Constitution of 1947; 3) explain what is meant by the concept "sovereign power"; and 4) identify Japanese attitudes toward the emperor system.

## MATERIALS AND RESOURCES

❑ Handout 1.3 "The Constitution of Japan" (from Topic 1)
❑ Handout 2.1 "The Japanese Emperor"
❑ Handout 2.2 "Japanese Attitudes Toward the Emperor System"

## STRATEGIES

In this lesson students will be introduced to the traditional and modern role of the Japanese emperor. Through the use of readings the students will be able to determine when and how the traditional role of the emperor changed to the more modern form that limits the power of the emperor.

Begin this lesson by distributing copies of Handout 2.1, "The Japanese Emperor." Ask the following questions to encourage discussion

- Why did the *samurai* restore the power of the emperor?
- What was the traditional source of the emperor's power?
- What limitations did the Meiji Constitution place upon the emperor?
- What is the role of the emperor according to the 1947 Constitution?
- What other countries or civilizations have had emperors?
- How had the emperor been traditionally thought of in Japanese history?
- Why does Japan not abolish the emperor system?

Next, distribute copies of Handout 1.3, "The Constitution of Japan" [from Topic 1] and have students refer to "Chapter 1, The Emperor."

- What is "sovereign power"? Where does it appear in the Constitution?
- From what source does the emperor receive his power? Which article?
- How is succession determined?
- How much say does the emperor have in governmental actions?

- Does the emperor have any powers of his own without being subject to the approval of others?
- What ceremonial duties does the emperor perform?

Conclude the lesson by distributing copies of Handout 2.2, "Japanese Attitudes Toward the Emperor System." Use the following questions to encourage discussion.

- What type of people are most/least likely to feel affection towards the imperial family?
- What factors could determine the answer given to the questions above?
- What do the Japanese as a whole feel should be done with the emperor system?
- If the emperor has minimal power, what factors can be determined that allow for 82 % of the population preferring to keep the system as it is?
- The figures used in Handout 2.2 were reported in 1985. Do you think a survey done today would reveal similar feelings? Why or why not?
- Can you see any reason to maintain an institution such as this?
- Why do you think the Japanese people hold the emperor in such high regard even though he has little to do with day-to-day affairs of government?

This lesson may be extended by assigning students the following research assignments

► Future prospects:

· What will be the possible future of the Japanese emperor system?

· How does the Japanese emperor system compare to that of modern European kings and queens? In other parts of the world?

► Have students create cartoons depicting the difference in the traditional and modern roles of the Japanese emperor.

# THE JAPANESE EMPEROR

Isolated from the world, feudal Japan was ruled for two and a half centuries under the *shoguns*. When the pressure from the West opened Japan to trade and commerce, the *shogun's* rule fell in 1867 and modern Japan faced the question of who would rule. The emperor was a natural choice to become Japan's sovereign again. Unlike many of the royal houses of Europe, where once powerful absolute monarchies have been replaced by constitutional monarchies, Japan's imperial family has seldom held real authority. Because the emperor was more a symbolic figure rather than a ruling figure, the emperor commanded respect and admiration and provided a powerful symbol to unite the Japanese people. His government, however, was created and operated by the group of *samurai* who had overthrown the *shogun.* The Constitution of 1889 established a political framework where power was divided between the parliament, the civil bureaucracy, the military, and the imperial household. In the 1920s the parliament's power gradually expanded, but was suddenly overcome by the actions of the Japanese military, who were responsible only to the emperor.

Prior to World War II, the military that controlled Japan found it convenient to cultivate "emperor worship" and all acts were carried out in the name of the emperor. He was deemed a sacred figure and it was forbidden for anyone to look at him directly. In front of his portrait or picture, and naturally in his presence, citizens had to bow low in reverence.

Emperor Hirohito was always skeptical about his own "divine" status, however, and following Japan's defeat in World War II, the emperor, in one of his most historic acts, issued a statement denying his own "divinity." Assisted by the American occupation authorities, Japan adopted a new Constitution in 1947. It states that "the Emperor shall be the symbol of the state and of the unity of people, deriving his position from the will of the people with whom resides sovereign power." The new constitution guaranteed many basic freedoms to the Japanese people, such as the right to free speech and elections, marriage of one's choice, and the right to bargain and act collectively. The Japanese parliament, the Diet, became the supreme lawmaking body in the nation.

With the death of Emperor Hirohito on January 7,1989, a new era began. Hirohito's son, Akihito, chose the name *Heisei,* "Peace Achieved," for his reign. His father's era was known as *Showa,* "Enlightened Peace," and was the longest reign by a monarch in Japan's history, from 1926 to 1989.

Emperor Akihito is the 126th emperor of Japan. According to myth, the first emperor was Emperor Jimmu who was descended from the Sun Goddess Amaterasu. Although the reigns of the first 39 emperors are not known precisely, the lineage can be traced back to the 6th century A.D. The Japanese imperial family is one of the oldest reigning families in the world.

# JAPANESE ATTITUDES TOWARD THE EMPEROR SYSTEM

***Feelings Toward the Imperial Family (%)***

| | |
|---|---|
| Feel affection | 44 |
| Don't feel affection | 47 |
| Other | 6 |
| Can't say | 3 |

***Feelings Toward the Imperial Family by Age Group (%)***

| *Age* | *Feel affection* | *Don't feel affection* |
|---|---|---|
| 20-24 | 15 | 79 |
| 25-29 | 24 | 68 |
| 30-34 | 22 | 67 |
| 35-39 | 33 | 59 |
| 40-49 | 48 | 43 |
| 50-59 | 57 | 34 |
| 60 and over | 76 | 15 |
| *Average* | *44* | *47* |

***Evaluation of the Emperor System (%)***

| | |
|---|---|
| The emperor's status should be elevated | 6 |
| The emperor should remain a symbol of state | 82 |
| The emperor system should be abolished | 8 |
| Other | 1 |
| Can't say | 3 |

From *Facts and Figures of Japan* (Foreign Press Center, Japan, 1985), p. 145.

## TOPIC 3

### POLITICAL PARTIES AND VOTING PATTERNS

# Lesson

## *How does the role of political parties in Japan compare with their role in the United States?*

## LESSON OBJECTIVES

The student will 1) describe the election process in modern Japan; 2) list and distinguish the political parties of Japan; 3) state how political parties in Japan differ from those in the United States; and 4) compare Japanese and United States political campaign procedures.

## MATERIALS AND RESOURCES

- ❑ Handout 3.1 "Japanese Political Parties and Elections"
- ❑ Handout 3.2 "Political Parties in Japan"
- ❑ Worksheet 3.1 "Political Parties"
- ❑ Handout 3.3 "A Samurai Never Breaks His Word"

## STRATEGIES

Although Japan has a multi-party system, one political party, the Liberal Democratic Party, has dominated national politics for three decades. The election process in Japan differs from that of the U.S. in several respects: importance of party actions, less emphasis on issues, existence of competition among members of the same party within a single district, and short political campaigns with restrictions on resources used in campaigning. This lesson attempts to provide students with insights into some of these key elements of Japanese politics.

Distribute copies of Handout 3.1, "Japanese Political Parties and Elections" and Handout 3.2, "Political Parties in Japan." Ask the following questions to elicit discussion.

- How many major political parties does Japan have? How does this compare to the United States?
- What is a political coalition? Why are coalitions necessary in the Japanese Diet?
- In January 1996, which party held the most seats in the Diet?
- What is the total number of seats in the Diet?

Next, distribute copies of Worksheet 3.1, "Political Parties." Students should complete the worksheet using Handouts 3.1 and 3.2 and information obtained from other resources and class discussion. [Note: No key is provided since answers will vary depending on the most recent election figures.]

To conclude the lesson, distribute copies of Handout 3.3, "A Samurai Never Breaks His Word." Ask:

- Why would politicians like to use the phrase *"Bushi ni nigon nashi"*? What does it mean?
- Why was the phrase so important to the samurai before the Edo Period?
- How did use of the phrase change during the Edo Period?
- According to the article's author, how do Japan's politicians today measure up to the ancient saying of the samurai?
- How do politicians in the United States measure up to the phrase *"Bushi ni nigon nashi"*?

The lesson could be extended by having students prepare a report comparing the election process in Japan to the election process in the United States.

# POLITICAL PARTIES

Using Handouts 3.1 and 3.2 and any other resources available, complete the chart.

| | *AIMS AND CHARACTERISTICS* | *% OF VOTE, NUMBER OF DIET SEATS* |
|---|---|---|
| **Japan Communist Party** *Kyosanto* | | |
| **New Party** *Sakigake* | | |
| **Liberal Democratic Party** *Jiyuminshuto* | | |
| **New Frontier Party** *Shinshinto* | | |
| **Social Democratic Party of Japan** *Shakaiminshuto, (formerly Nihonshakaito)* | | |

**QUESTIONS:**

1. What is the date of your source of information?
2. Which is the largest political party?
3. Which is the smallest?
4. How does the percentage of vote received by parties compare to the seats won?
5. By reviewing the chart you have completed, what can you tell about the prevailing political views of Japanese voters? What additional data would you need to test your answer?
6. How do political parties in Japan compare to those in the U.S.?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# JAPANESE POLITICAL PARTIES AND ELECTIONS

**Legislature**

The Diet is the highest organ of state power and the sole legislative organ of the state in Japan. The Japanese parliament is bicameral, consisting of the House of Representatives and the House of Councillors. The House of Representatives takes precedence over the House of Councillors in passing laws, acting on the budget, ratifying treaties, and designating the prime minister. Business cannot be transacted in either house unless a quorum of one-third of the total membership is present. All matters are decided by a simple majority of those present, or, in some special cases, by a two-thirds majority.

**House of Representatives**

In November 1994 a package of reform bills were passed that introduced a system combining single-seat electoral districts and proportional representation for the House of Representatives, or lower house. The multiseat districts from which all 511 lower house members were elected were replaced by 300 single-seat constituencies, and 200 more seats will be determined through voting for political parties in 11 regional blocs from lists of candidates prepared by each party. The term of office is four years, but it may be terminated beforehand if the cabinet dissolves the house.

**House of Councillors**

Of the 252 members, 100 are elected from the nation at large through a proportional representation system, and 152 are elected directly from prefectural electoral districts. The term of office for the upper house is six years, with election of half the members taking place every three years. The House of Councillors is never dissolved.

**Political Parties and Their Strengths in the Diet**

Major political parties in Japan as of March 1995 were the three parties in the ruling coalition supporting Prime Minister Tomiichi Murayama, namely, the Liberal Democratic Party, the Social Democratic Party of Japan, and New Party Sakigake, along with the New Frontier Party (formed in December 1994) and the Japanese Communist Party.

The LDP and the SDPJ had been adversaries since the two parties were formed in 1955 with the conservative LDP maintaining its hold on power and the SDPJ perennially in the opposition. A split in the LDP in the summer of 1993, however, gave rise to a non-LDP government, though the coalition crumbled due to differences among some of the parties. In June 1994 the LDP joined forces with the SDPJ and Sakigake (which had broken away from the LDP) to return to power.

The NFP was formed when the Japan Renewal Party, an LDP splinter group, merged with such parties as the centrist Komeito (Clean Government Party), the Democratic Socialist Party, and the conservative Japan New Party, which was established in 1992. The JCP, which endorses

Marxism-Leninism, has an especially long history, having been initially formed in 1922. There are also several minor parties with members in the Diet, as well as a number of Diet members with independent status.

**DISTRIBUTION OF DIET SEATS, MARCH 75, 1995**

| | House of Representatives | House of Councillors |
|---|---|---|
| *Ruling coalition* | | |
| LDP | 208 | 94 |
| SDPJ | 69 | 65 |
| Sakigake | 21 | |
| *Opposition* | | |
| NFP | 176 | 49[a] |
| JCP | 15 | 11 |
| Shin Ryokufu Kai[b] | -- | 13 |
| Niin Club | -- | 5 |
| Others | 3 | 5 |
| *Independent* | 15 | 10 |
| *Vacant* | 4 | 0 |
| **TOTAL** | **511** | **252** |

[a] Includes former Komeito upper house members who did not join the NFP [b]. An upper house voting bloc that includes members of the Democratic Reform Party and the Sports and Peace Party.

**Elections**

At present all Japanese citizens who have reached the age of 20 have the right to vote. Those who have reached the age of 25 are legally qualified to run in House of Representatives elections, local assembly elections, and mayoral elections, and those who have reached the age of 30 can run in House of Councillors and gubernatorial elections.

Changes in population distribution as a result of urbanization have generated a wide gap between certain electoral districts in the value of a vote. Revisions have been made to correct such imbalances among lower house constituencies. Even after the overhauling of the electoral system in 1994, however, there was as much as a 2.22-fold discrepancy in the value of a vote in the newly created single-seat constituencies.

From *Facts and Figures of Japan* (Tokyo: Foreign Press Center, 1995), pp. 21-22.

# POLITICAL PARTIES IN JAPAN

***(as of January 1996)***

I. Governing coalition

A. Liberal Democratic Party (*Jiyuminshuto*)

B. Social Democratic Party of Japan
(*Shakaiminshuto, formerly Nihonshakaito*)

C. Harbinger Party (*Sakigake*)

II. Opposition parties

A. New Frontier Party (*Shinshinto*), composed of these former parties:

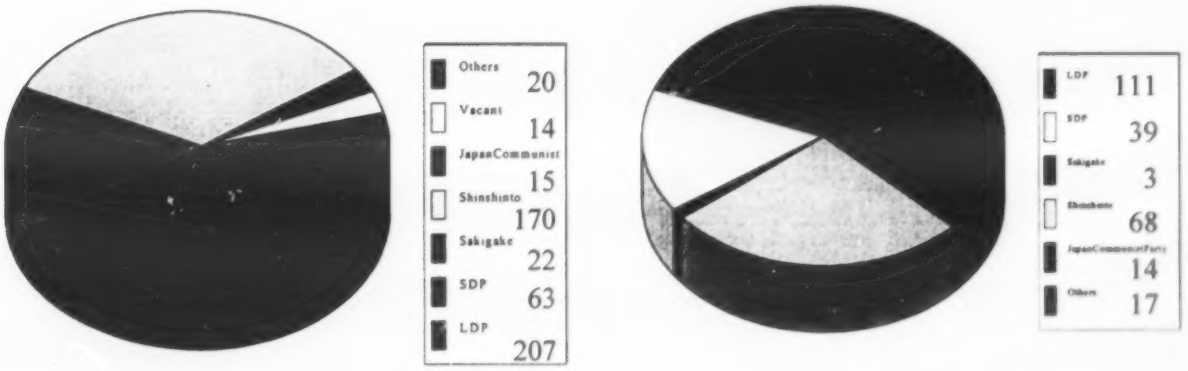
1. Japan Renewal Party (*Shinseito*)
2. Clean Government Party (*Komeito*)
3. Japan New Party (*Nihonshinto*)
4. Democratic Socialist Party (*Minshato*)

B. Japan Communist Party (Kyosanto)

**Balance of Power**

*Seats held by major parties in the Diet*

Source: The Nihon Keizai Shimbun



# A SAMURAI NEVER BREAKS HIS WORD

*By Toshihiko Kinoshita*

It is an ancient phrase dating back to the days when *samurai* (the feudal warrior aristocracy) ruled the country. *Bushi ni nigon nashi* (a samurai never breaks his word).

Up until the 1950s and 1960s it was a relatively common expression, usually used to seal a promise made regarding a somewhat trivial matter. For example, a man swearing off cigarettes when teased by those around him about his will power might have said, with an exaggerated flourish. "Bushi ni nigon nashi" meaning "You can be sure I will."

Politicians liked to use the phrase too, summoning it to allay doubts that they would keep their campaign promises. One hopes the fading use of the phrase does not indicate a change in the mores of the people; that those in a position of authority are still expected to take responsibility for their words and not to renege on their promises.

The samurai aristocracy ruled Japan from the end of the 12th century to the latter half of the 19th century. From the early 17th century until the Meiji Restoration (1868), Japanese society was divided into four distinct castes: warriors, farmers, artisans, and merchants. The samurai were the patrimonial idle class--administrators for a Shogun or *daimyo* (land holding military lords), as well as the intelligentsia to whom the other classes were subservient. One of their privileges was the right to wear swords and to use them whenever they deemed necessary against non-warriors without concern for criminal liability. To protect the system that gave them their power, they adhered to the strict order and morals of feudal society, training their minds with the Chinese classics and Zen, and their bodies with swordplay and the martial arts. When a samurai appeared, the non-warriors gave him and his family precedence over all else. Privilege, however, came with a *noblesse oblige*, a code for responsible behavior which included a requirement to be true to one's word.

As the merchant class began to prosper during the Edo Period (1600-1868), the samurai, whose only sustenance was the rice paid to them by the peasantry, watched their economic positions decline. There were some 270 daimyo in Japan who ruled over the samurai. Those samurai on the bottom rungs of the hierarchy and *ronin* (those who for whatever reason had lost their daimyo) were often destitute or close to it. Some still swaggered with authority, but most bowed to the merchants, begging for loans and sometimes even jobs.

Which gives rise to another phrase *Bushi wa kuwanedo takayoji* (a samurai glories in honorable poverty), or more literally, "a samurai keeps a toothpick in his mouth even if he hasn't eaten." Imbued with a strong sense of their class, the warriors would indeed walk around with toothpicks in their mouths, looking as if they had just enjoyed a banquet even if they were starving. This

pretense earned them more than a little scorn and derision from the townspeople, all of whom were quite aware that samurai had little money for food and were only putting on airs. During this time, samurai often found themselves the object of satirical poetry and plays. When "Bushi ni nigon nashi" was heard on the stage, it was usually to make sport of a samurai caught in a contradiction.

It is natural to expect leaders to be true to their word. You will find the same standard in any country, especially when statesmen and cabinet ministers are involved. Unfortunately, fewer and fewer politicians are really prepared to keep their word. Again, this seems to be the case in every country. In Japan, you can point to any number of politicians who, after vowing that they would never tell a lie, were forced to resign after their lies were exposed.

Then there is Yukio Aoshima, the governor of Tokyo who was recently elected on a promise to cancel the World City Expo [an international exhibition that was to run for 10 months next year at the Tokyo Bay development site]. Not long after Aoshima's April 9 victory, the metropolitan legislature passed a non-binding resolution to go forward with the exposition. Aoshima fretted and worried, but by the end of May he had made his decision clear: Bushi ni nigon nashi. The exposition was called off, heading the new governor down what is almost certain to be a thorny path.

Confucius said: "Never hesitate to repent of mistakes." Statesmen and others who change their stand on an issue love to quote this phrase. However, one should remember that a true samurai would have considered this "breaking one's word" and would have most likely committed *harakiri* (ritualized suicide by self-disembowelment) for his shame. Socrates likewise taught by example the need for deeds to match words and for people to take responsibility for their actions. And yet, times change. How do you balance those changes against the concerns of conscience? It is a subject that will continue to be debated as long as the phrase "to give one's word" still has meaning.

From *Look Japan*, August 1995, pp. 34-35.